



Promoting the wise use of land

COUNTY OF SAN LUIS OBISPO DEPARTMENT OF PLANNING AND BUILDING STAFF REPORT

Tentative Notice of Action

MEETING DATE June 6, 2014	CONTACT/PHONE Megan Martin (805) 781-4163 mamartin@co.slo.ca.us	APPLICANT Richard & Michelle Froehlich	FILE NO. DRC2013-00074
LOCAL EFFECTIVE DATE June 20, 2014			
APPROX FINAL EFFECTIVE DATE July 11, 2014			
SUBJECT A request by Richard and Michelle Froehlich for a Minor Use Permit/Coastal Development Permit to allow a residential remodel and addition to an existing single family residence and adjustment to allow a new covered porch to encroach a maximum of six (6) feet into the front yard setback. The project will include a new 334 square foot attached garage, approximately 219 square feet of additional living space on the first floor, and a new 246 square foot covered porch. Approximately 96 square feet of the covered porch will project a maximum of six (6) feet into the front setback. Maximum height of the proposed project is 18 feet as measured from the street centerline of Pacific Avenue. The proposed project is within the Residential Single Family land use category, within the Small Scale Design Neighborhood, and is located at 473 Pacific Avenue, approximately 70 feet northeast of the intersection of 5th Street and Pacific Avenue in the community of Cayucos. The site is in the Estero planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2013-00074 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
ENVIRONMENTAL DETERMINATION A Class 1 Categorical Exemption (Section 15301) was issued on March 24, 2014 (ED13-190).			
LAND USE CATEGORY Residential Single Family	COMBINING DESIGNATION Coastal Appealable Zone, Local Coastal Program Area, Small Scale Neighborhood	ASSESSOR PARCEL NUMBER 064-143-010	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: Estero Area Plan, Coastal Appealable Zone, Community Small-Scale Neighborhood <i>Does the project meet applicable Planning Area Standards: Yes - see discussion</i>			
LAND USE ORDINANCE STANDARDS: Section 23.04.116 – Projections into Setbacks Section 23.07.120 – Local Coastal Program Area <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become the final action on the project, unless the tentative decision is changed as a result of information obtained at the administrative hearing or is appealed to the County Board of Supervisors pursuant Section 23.01.042 of the Coastal Zone Land Use Ordinance; effective on the 10th working day after the receipt of the final action by the California Coastal Commission. The tentative decision will be transferred to the Coastal Commission following the required 14-calendar day local appeal period after the administrative hearing. The applicant is encouraged to call the Central Coast District Office of the Coastal Commission in Santa Cruz at (831) 427-4863 to verify the date of final action. The County will not issue any construction permits prior to the end of the Coastal Commission process.			

EXISTING USES: Single Family Dwelling	
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Single Family / Residence South: Residential Single Family / Residence East: Residential Single Family / Residence West: Residential Single Family / Residence	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Building Division, Cayucos Fire Protection District, Cayucos Sanitary, Paso Robles Beach Water Association (Cayucos), California Coastal Commission, and the Cayucos Citizens Advisory Council	
TOPOGRAPHY: Generally level	VEGETATION: Ornamental landscaping
PROPOSED SERVICES: Water supply: Community system / P.R. Beach Water Association (Cayucos) Sewage Disposal: Community sewage disposal system / Cayucos Sanitary District Fire Protection: Cayucos Fire Protection District	ACCEPTANCE DATE: March 24, 2014
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242	

DISCUSSION

The original single-family residence was constructed in 1947. The applicant is proposing to construct a new 334 square foot attached garage, approximately 219 square feet of additional living space on the first floor, and a new 246 square foot covered porch. Approximately 96 square feet of the covered porch will project a maximum of six (6) feet into the front setback. The project is located at 473 Pacific Street, in the community of Cayucos.

As outlined below, the proposed project is consistent with the Small Scale Neighborhood design standards of the Estero Area Plan as well as applicable Coastal Zone Land Use Ordinance standards and general plan policies.

PLANNING AREA STANDARDS:

Setbacks – Communitywide

Table 7-1 within the Estero Area Plan identifies setbacks as they apply to their respective neighborhoods. The proposed project is located in the Paso Robles Beach Area.

Minimum Setbacks for the Paso Robles Beach Area		
Setback	Minimum Setback (feet)	Existing Setback (feet)
Front	10	17
Side	3	6
Rear	10	19

Staff Response: The project site is located in the Paso Robles Beach Area. For lots along the east side of Pacific Avenue within the Paso Robles Beach Area, front setbacks are to be a minimum of 10 feet. The minimum side and rear setbacks shall be a minimum of three (3) and ten (10) feet, respectively. The existing single family residence currently conforms to these required setbacks. The project includes the construction of a 334 square foot single car garage; it will conform to the side, front and rear setbacks. The project will also include construction of a new 214 square foot porch which will extend into the front setback by approximately six (6) feet.

Residential Single Family - Community Small Scale Design Neighborhoods

Pacific Avenue Neighborhood. The area designated Residential Single Family between Ocean Avenue, 13th Street, Cass Avenue, Circle Drive, Highway One, Old Creek, and the ocean. The proposed project is located within the Pacific Avenue Neighborhood. As such, the following standards apply:

Minor Use Permit

1. Development that is within 100 feet of any wetland, estuary or stream, or within 300 feet of the edge of the ocean bluff-top. In addition such development is subject to standards, guidelines and findings listed below.
2. Development with proposed structures between 15 feet and 24 feet in height except as provided in 2a(2) above. In addition such development is subject to standards, guidelines and findings listed below.

Staff Response: This standard allows development to be reviewed through a minor use permit where development is within a certain distance of an environmentally sensitive habitat or between 15 feet and 24 feet in height. Based on this standard, the proposed project requires minor use permit approval as the addition will be a maximum of 18 feet in height. The project is not within 100 feet of any wetland, estuary or stream, or within 300 feet of the edge of the ocean bluff-top. Additionally, the following findings are made:

- The proposed project meets the community small scale design neighborhood standards and is therefore consistent with the character and intent of the Cayucos community small scale design neighborhood.

Staff Response: The proposed project complies with this standard. Development is designed to complement and be visually compatible with characteristics of the existing single family residence as well as the surrounding community and neighborhood.

- For any proposed structure that exceeds 15 feet in height, public view of the ocean from Highway One or the respective neighborhood is not being further limited.

Staff Response: The proposed project is an addition to an existing single family residence. The addition and the single family residence will not exceed a maximum of 18 feet and will not limit public view of the ocean from Highway One.

Small Scale Neighborhood Design Standards

Front setbacks. The ground level floor shall have setbacks as provided in Cayucos Communitywide Standard G. and at no point shall a lower story wall exceed 12 feet in height including its above ground foundation.

Side setbacks. Single story dwellings shall have setbacks as provided in Cayucos Communitywide Standard G.

Rear setbacks. Minimum rear setback shall be 10 feet.

Staff Response: The proposed project meets all required setback standards. For discussion regarding projection into the front setback, refer to "Projections into Required Setbacks" discussion below.

Building Height Limitations. Heights shall be measured from the center line of the fronting street (narrowest side for corner lots) at a point midway between the two side property lines projected to the street center line, to the highest point of the roof. In the community small scale design neighborhood area defined in Standard 1, upslope lots shall use average natural grade. All proposed development including remodeling and building replacement is subject to the following limitations:

- Not to exceed 24 feet in height measured as provided above. Sloped roofs are encouraged in all structures; however roof heights up to 18 feet shall not be required to have sloped roofs, roof heights exceeding 18 feet but not exceeding 22 feet shall have a roof pitch of at least 4:12 (4 inches of rise per 12 inches of run) and roof heights exceeding 22 feet but not exceeding the maximum height allowed (24 feet) shall have a roof pitch of at least 5:12.

Staff Response: The proposed project complies with this standard. The plans submitted showed a maximum height of 18 feet measured from the center line of the fronting street (Pacific Avenue) at a point midway between the two side property lines projected to the street center line, to the highest point of the roof. The roof will be sloped at a pitch of 6 inches of rise per 12 inches of run (6:12).

Gross Structural Area (GSA). One story development and all development on bluff top sites, is limited to a maximum gross structural area, including the area of all garages of 3,500 square feet.

Staff Response: The proposed project complies with this standard. The GSA of the one-story development including the area of the garage will not exceed 3,500 square feet. The total GSA of the proposed project will be 1,730 square feet on an approximately 4,828 square foot lot.

Parking. New development parking spaces shall comply with the Coastal Zone Land Use Ordinance for required parking spaces.

Staff Response: The proposed project complies with the Coastal Zone Land Use Ordinance requirements for parking spaces. The project includes one off-street parking space enclosed

within the proposed 334 square foot garage. An additional off-street parking space will be located in the driveway.

Driveway Widths. Driveway Widths may not exceed 18 feet.

Staff Response: The proposed project complies with this standard. The existing driveway is approximately 12 feet in width.

Streetscape Plan. A scale drawing showing the front exterior elevation (view) of the proposed project, and the front elevations of the adjacent buildings, is required as part of the application submittal.

Staff Response: The proposed project complies with this standard. A copy of the streetscape plan is in the file.

Topographic Map. A topographic map including the elevation of the fronting street, site contours, and existing and proposed drainage patterns is required as part of the application submittal.

Staff Response: The proposed project complies with this standard. A copy of the topographic map is in the file.

COASTAL ZONE LAND USE ORDINANCE STANDARDS:

Section 23.04.116 Projections into Required Setbacks

Porches. Porches are defined as covered outdoor steps, stairs, and/or raised platform with open sides, not exceeding 30 inches in height above grade at any point, or no higher than the ground floor of the building, located immediately adjacent to an entry of a building for the purpose of providing pedestrian access from the outdoor ground elevation to a building interior and not to be used as habitable living space. If the porch is enclosed, it will be considered habitable living space and shall not project into a required setback.

Front porch. A front porch and/or stairs may project up to six feet into a required front setback.

Staff Response: The proposed project complies with this standard. The proposed 246 square foot front porch is covered with open sides, at approximately 12 inches above grade and no higher than the ground floor of the building. The porch is located immediately adjacent to the entry of the residence and since it is not enclosed is not considered habitable living space. The applicant is proposing to project 96 square feet of the front porch approximately six (6) feet into the required front setback (10 feet minimum front setback).

Section 23.07.120 Local Coastal Program Area

The local coastal program combining designation identifies areas of San Luis Obispo County that are within the California coastal zone as determined by the California coastal act of 1976. The provisions of this title apply to all unincorporated portions of the county located within the coastal zone, and do not apply to any areas outside of the LCP combining designations.

Staff Response: The project site is located within the California Coastal Zone as established by the California Coastal Act of 1976, and is subject to the provisions of the Local Coastal Program.

COASTAL PLAN POLICIES:

Shoreline Access: N/A
Recreation and Visitor Serving: N/A
Energy and Industrial Development: N/A
Commercial Fishing, Recreational Boating and Port Facilities: N/A
Environmentally Sensitive Habitats: N/A
Agriculture: N/A
Public Works: ☒ Policy No(s):1
Coastal Watersheds: ☒ Policy No(s):10
Visual and Scenic Resources: ☒ Policy No(s):1, 6
Hazards: N/A
Archeology: N/A
Air Quality: N/A

Does the project meet applicable Coastal Plan Policies: Yes, as conditioned

COASTAL PLAN POLICY DISCUSSION:

Public Works

Policy 1: Availability of Service Capacity. New development shall demonstrate that adequate public or private service capacities are available to serve the proposed development.

Staff Response: The proposed project complies with this policy. The existing single family residence is currently served by the Paso Robles Beach Water Association and Cayucos Sanitary District. As conditioned, the applicant shall contact Paso Robles Beach Water Association and Cayucos Sanitary District prior to issuance of construction permits to determine if additional action related to the proposed development is necessary.

Coastal Watersheds

Policy 10: Drainage Provisions. Site design shall ensure that drainage does not increase erosion. This may be achieved either through on-site drainage retention, or conveyance to storm drains or suitable watercourses.

Staff Response: The proposed project complies with this policy. As conditioned, the project will be required to meet all drainage plan and erosion control measures required by the San Luis Obispo County Public Works department.

Visual and Scenic Resources

Policy 1: Protection of Visual and Scenic Resources. Unique and attractive features of the landscape, including but not limited to unusual landforms, scenic vistas and sensitive habitats are to be preserved, protected, and in visually degraded areas restored where feasible.

Staff Response: The proposed project complies with this policy. The proposed residence shall be in character and scale with the surrounding neighborhood, and will not block existing scenic vistas.

Policy 6: Special Communities and Small Scale Neighborhoods. Within the urbanized areas defined as small-scale neighborhoods or special communities, new development shall be designed and sited to complement and be visually compatible with existing characteristics of the community which may include concerns for the scale of new structures, compatibility with unique or distinguished architectural historical style, or natural features that add to the overall attractiveness of the community.

Staff Response: The proposed project complies with this policy. The project is designed and sited to complement and be visually compatible with the existing characteristics of the existing single family residence as well as the surrounding neighborhood and community. The project complies with all standards for Cayucos Small Scale Design Neighborhoods.

COMMUNITY ADVISORY GROUP COMMENTS:

The Cayucos Citizens Advisory Council reviewed the proposed project at a regular meeting on April 3, 2014. The Council and Land Use Committee recommended approval of the project as presented (April, 2014).

AGENCY REVIEW:

Public Works: "The project appears to not meet the applicability criteria for a Stormwater Management (it creates or replaces less than 2,500 square feet of impervious area). Therefore, a Stormwater Control Plan is not required.

Building Division: A referral response was received on March 28, 2014. The comments have been incorporated into the Conditions of Approval (Exhibit B).

Cayucos Fire: No comment received.

Cayucos Sanitary: "The District will need to review construction plans to determine if a conditional sewer will serve letter will be required." (A. Rebich, 2014)

Paso Robles Beach Water Association (Cayucos): No comment received.

Coastal Commission: No comment received.

LEGAL LOT STATUS:

The existing parcel is Lot 10 in Block 7 of Paso Robles Beach No. 1 which was filed for record September 11, 1922 in Book 3 of Maps, at Page 15 and was legally created by deed at a time when that was a legal method of creating parcels.

Staff report prepared by Megan Martin and reviewed by Kerry Brown and Steve McMasters.